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Gregory J. Koerner Redwood Patent Law 1291 East Hillsdale Boulevard Suite 205 Foster City, CA 94404			EXAMINER LONG, ANDREA NATAE	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/638,843

Applicant(s)

WIGGESHOFF ET AL.

Examiner

Andrea N. Long

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/10/2007 has been entered.

Applicant's Remarks

2. Claims 1, 6, 18, 21, 26, 38, and 41-42 were amended. Claims 43-45 were added. Claims 1-45 are currently pending in the present application.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1, 21, and 41-43 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The independent claims mentioned above all contain the limitation "said display widgets being selectively generated *only* in response to user widget-selection input from a device user" (emphasis added). There is no mention in the original Specification of the display widgets being generated *only* in response to input from the user.

If the examiner has overlooked the portion of the original Specification that describes this feature of the present invention, then Applicant should point it out (by page number and line number) in the response to this Office Action.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1, 2, 11, 12, 18, 19, 21, 22, 38, 39, 41, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind et al (US Patent 7124123), hereinafter "Roskind" in view of Cohen et al (Designing to Support Adversarial Collaboration, 2000), hereinafter "Cohen".**

As to independent claim 1, Roskind teaches a system for implementing a user interface in an electronic device (column 1 lines 12-21 → Roskind discloses an instant messaging program consisting of a user interface within a computer), comprising:

a user interface application configured to generate said user interface upon a display of said electronic device, said user interface application selectively generating a main widget (Figure 2A, column 1 lines 18-21), a connect widget (column 1 lines 21-24), and an alert widget (column 1 lines 39-42) as separate parts of said user interface in response to user input from a device user of said electronic device (column 1 lines 17-27 → Roskind discloses a well known method of a user manipulating the user interface to initiate messaging communications with the buddy); said alert widget providing alert information for multiple different types of alert states (column 1 lines 40-52 → taught as having an alert that is provided to the user when a user is away and an alert is sent to a user when the user is offline); and

a processor device coupled to said electronic device, said processor device being configured to control said user interface application for performing network communications procedures in an electronic network (column 13 lines 43-59 → Roskind discloses that a processor is used to carry out instruction of the operation).

Roskind, however, does not explicitly teach wherein the different widgets are displayed on different discrete portions of said display or that the additional widgets are generated in response to user widget selection input from a device user.

Cohen teaches having multiple widgets for displaying distinct functions for managing collaboration data (page 33 1st column, Figures 1-3 → taught as panels and bars). Additionally Cohen teaches wherein the panels are displayed upon selection of a bar (page 33 1st column).

It would have been obvious to one skilled in the art at the time the invention was made to have substituted the multiple widgets of Roskind with the multiple widgets displayed in discrete

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portions of a display of Cohen as a design choice to provide user with distinct clarification of functions that each widget provides with the collaboration system.

As to dependent claim 2, Roskind teaches wherein said network communication procedures are performed between said electronic device and one or more buddy devices through a network server of said electronic network, said network communication procedures including instant messaging processes and sharing of content information for corresponding network services (column 1 lines 12-24).

As to dependent claim 11, Roskind teaches wherein said device user selects said MEET tab to display a MEET widget that includes one or more buddy entries that include buddy information corresponding to one or more buddy devices in said electronic network (column 5 lines 1-2).

As to dependent claim 12, Roskind teaches wherein said buddy information includes a buddy group name (randomcontact's Buddy List), an on-line/off-line status icon (AOL (4/4) is a textual icon portraying information that 4 out of the 4 buddies in the AOL are online), a buddy screen name (randomcontact2), a buddy resource name (Co-Workers), and a listing of network services available for performing network service sharing procedures over said electronic network (IM, Chat, Write) (Figure 2A).

As to dependent claim 18, Roskind teaches wherein said user interface application dynamically displays said alert widget upon a portion of said display for viewing corresponding alert messages relating to one or more buddy devices, said alert message including a single message in a single message mode (column 1 lines 36-43 → Roskind discloses that an alert messaging that was sent to a buddy in response to the user being away is also displayed on the client workstation to inform the user of the event).

As to dependent claim 19, Roskind teaches wherein said alert widget functions in a notification mode in which no response is required from a device user (column 1 lines 36-43 → Roskind discloses wherein a message is displayed to a user to inform them of an alert that was sent to a buddy while they were away), said alert widget alternately functioning in a decision mode in which a decision is required by said device user to approve or disapprove a particular one of said alert messages (column 1 lines 56-67 → Roskind discloses that an action is requested from the first user if a requested action is to take place).

Independent claim 21 is rejected under the same rationale as claim 1.

Dependent claim 22 is rejected under the same rationale as claim 2.

Dependent claim 38 is rejected under the same rationale as claim 18.

Dependent claim 39 is rejected under the same rationale as claim 19.

Independent claim 41 and 42 are rejected under the same rational as claim 1.

7. **Claims 3, 4, 6-15, 17, 20, 23, 24, 26-35, 37, 40 and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Cohen in further view of Becker et al (PG PUB US 2002/0130904 A1, filed 01/17/2002), hereinafter “Becker”.**

As to dependent claim 3, Roskind teaches the functions of the presence tab (column 1 lines 28-36), a MEET tab (column 5 lines 1-4 “buddy list”), a buddy tab (column 5 lines 7-10), a content tab (column 4 lines 48-57), an info tab (column 4 lines 63-67). However, Roskind does not teach these functions as tabs. Becker teaches the concept of using tabs in an instant messenger user interface (page 1 paragraph [0010]).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the functions of Roskind with the tabbing method of Becker to better organize and display the functions to the use.

As to dependent claim 4, Roskind teaches wherein a device user selects said presence tab in a presence off-line mode for logging-in to a network server to gain access to said electronic network (column 1 lines 44-52).

As to dependent claim 6, Roskind teaches wherein a device user selects said buddy tab to add a new buddy device to a buddy list of communication partners for said electronic device, said device user alternately selecting said buddy tab to remove a current buddy device from said buddy list, said device user also selecting said buddy tab to edit buddy information corresponding to one or more of said communication partners (column 5 lines 1-10), said buddy

information including a buddy group name (randomcontact's Buddy List), an on-line/off-line status icon (AOL (4/4) is a textual icon portraying information that 4 out of the 4 buddies in the AOL are online), a buddy screen name (randomcontact2), a buddy resource name (Co-Workers)(Figure 2A).

As to dependent claim 7, Roskind teaches wherein a device user selects said content tab in a content off-line mode for adding shareable content information, for editing said shareable content information, and for removing said shareable content information, said shareable content information being stored in a memory device for sharing with one or more buddy devices over said electronic network (column 3 line 64 through column 4 line 3, column 4 lines 48-54 → Roskind teaches a host server that stores and interacts with communications such as email, audio, video data etc., which is transferable to other buddies on a network).

As to dependent claim 8, Roskind teaches wherein a device user selects said content tab in a content on-line mode for viewing a list of previously-defined shareable content information, said device user then sending content sharing invitations to one or more buddy devices for sharing said previously-defined shareable content information (column 4 lines 13-31 → Roskind discloses that when a user is online, (logged in) the user can exchange IM's with buddies and trade files such as pictures, invitations, or documents).

As to dependent claim 9, Roskind teaches wherein a device user selects said info tab to create and transmit a request for profile information regarding one or more buddy devices in

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said electronic network (column 4 lines 59-67 → Roskind discloses a text box that displays representations of the program user's buddies. The representations may provide contextual information to the program user about the buddy).

As to dependent claim 10, Roskind teaches wherein said request for said profile information requests a user nickname, a user email address, a user URL, a user sex, a user age, a user birthday, a user blood type, a user country, a user state, a user hobby, a user photo, and a user description. It is reasonable and well known that a profile can consist of any information that would be pertinent to the system at hand.

As to dependent claim 13, Roskind teaches wherein said device user utilizes said MEET widget to view a communications menu corresponding to a selected one of said one or more buddy entries, said device user then utilizing said communications menu to initiate said network communications procedures over said electronic network (Figure 2B, column 5 lines 11-15).

As to dependent claim 14, Roskind teaches wherein said device user selects an instant messaging mode from said communications menu, said user interface application then dynamically displaying said connect widget (IM button) upon a portion of said display, said device user utilizing said connect widget to conduct bi-directional chat-type communications between said electronic device and a selected one of said one or more buddy devices (Figure 2B, column 5 lines 11-38).

As to dependent claim 15, Roskind teaches wherein said device user selects a single message mode from said communications menu, said user interface application then dynamically displaying said connect widget upon a portion of said display, said device user utilizing said connect widget to send a single message from said electronic device to a selected one of said one or more buddy devices (Figure 2B, column 5 lines 11-38).

As to dependent claim 17, Roskind teaches wherein said connect widget includes a series of buddy tabs for selecting which of said one or more buddy devices are designated for said network communications procedures (Figure 1, page 4 paragraph [0038] → Becker teaches tabs for selecting individual buddies to communicate with), said connect widget further comprising a buddy scrolling tab for repositioning which of said buddy tabs are currently displayed on said connect widget if a greater number of said buddy tabs exist than may concurrently be displayed on said connect widget (Figure 1, page 4 paragraph [0038] → Becker discloses that additional elements such as elevator control can be added which would allow for additional scrolling. Also Figure 1 shows in panel 100 a scroll bar for scrolling).

It would have been obvious to one skilled in the art at the time the invention was made to have combined user interface of Roskind to the tabbing system of Becker to better organize and display the buddies.

As to dependent claim 20, Roskind teaches wherein said alert widget However, Roskind does not teach a series of alerts. Becker teaches using tabs to organize a list of buddies. Becker also teaches using scrolling (Figure 1) to allow for viewing additional information.

It would have been obvious to one skilled in the art at the time the invention was made to implement the tabbing system of Becker with the alert widget of Roskind to better organize and easily view alerts provided to the user.

Dependent claim 23 is rejected under the same rationale as claim 3.

Dependent claim 24 is rejected under the same rationale as claim 4.

Dependent claim 26 is rejected under the same rationale as claim 6.

Dependent claim 27 is rejected under the same rationale as claim 7.

Dependent claim 28 is rejected under the same rationale as claim 8.

Dependent claim 29 is rejected under the same rationale as claim 9.

Dependent claim 30 is rejected under the same rationale as claim 10.

Dependent claim 31 is rejected under the same rationale as claim 11.

Dependent claim 32 is rejected under the same rationale as claim 12.

Dependent claim 33 is rejected under the same rationale as claim 13.

Dependent claim 34 is rejected under the same rationale as claim 14.

Dependent claim 35 is rejected under the same rationale as claim 15.

Dependent claim 37 is rejected under the same rationale as claim 17.

Dependent claim 40 is rejected under the same rationale as claim 20.

As to independent claim 43, claim 43 recites substantially similar subject matter as that of claim 1 and in further view of the following is rejected under the same rationale:

Roskind teaches the functions of the presence tab for displaying online and offline presence interfaces (column 1 lines 28-36), a MEET tab for displaying a MEET interface (column 5 lines 1-4 “buddy list”), a buddy tab for displaying a MEET interface (column 5 lines 7-10), a content tab for displaying online and offline content interfaces (column 4 lines 48-57), and an info tab for displaying an info interface (column 4 lines 63-67). However, Roskind does not teach these functions as tabs and the main interfaces being concealed when corresponding ones of the main tabs are not activated by said device user. Becker teaches the concept of using tabs in an instant messenger user interface (page 1 paragraph [0010]).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the functions of Roskind with the tabbing method of Becker to better organize and display the functions to the use.

As to dependent claim 44, Roskind teaches wherein said user interface application dynamically displays said alert widget upon a portion of said display for viewing corresponding alert messages relating to one or more buddy devices (column 1 lines 39-52).

As to dependent claim 45, Roskind teaches wherein said alert widget functions in a notification mode in which no response is required from a device user (column 1 lines 39-43), said alert widget alternatively functioning in a decision mode in which a decision is required by said device to approve or disapprove a particular one of said alert messages (column 1 lines 56-67 → Roskind discloses that an action is requested from the first user if a requested action is to take place).

8. Claims 5 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Cohen in further view of Becker and further in view of Benejam et al (US Patent 7084754), hereinafter “Benejam”.

As to dependent claim 5, Roskind teaches wherein a device user selects said presence tab in a presence on-line mode for logging-out from a network server of said electronic network (column 1 lines 44-52 → It is inherent that the method of logging out would be the mirror of logging-in). However, Roskind does not disclose, the presence tab have presence attributes. Benejam teaches said device user alternately selecting said presence tab in said presence on-line mode for changing presence attributes of said electronic device, said presence attributes including a visibility attribute and a status attribute for said electronic device (column 3 lines 13-27).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the presence attributes of Benejam with the presence tab of Roskind to allow flexibility of the user's presence online.

Dependent claim 25 is rejected under the same rationale as claim 5.

9. Claims 16 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Cohen in further view of Becker further in view of Canfield et al (US Patent 7127685), hereinafter “Canfield”.

As to dependent claim 16, Roskind teaches wherein said device user selects a content messaging mode from said communications menu, said user interface application then dynamically displaying said connect widget upon a portion of said display (Figure 2B, column 5 lines 11-38). However, Roskind does not teach said device user utilizing said connect widget to either share content information associated with a particular announced network service, or to view said content information while simultaneously conducting instant messaging over said electronic network. Canfield teaches a device user utilizing said connect widget to either share content information associated with a particular announced network service, or to view said content information while simultaneously conducting instant messaging over said electronic network (Figures 5 & 8-11).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the user interface of Roskind with the sharing and viewing of content of Canfield to enable a user to locate preferred information and service quickly and easily.

Dependent claim 36 is rejected under the same rationale as claim 16.

Response to Arguments

10. Applicant's arguments with respect to claim 1 has been considered but are moot in view of the new ground(s) of rejection.

11. Applicant's arguments filed 12/10/2007 have been fully considered but they are not persuasive.

Applicant asserts that Roskind fails to teach "said alert widget providing alert information for multiple different types of alert states".

The Examiner respectfully disagrees. Roskind's background teaches an alert being sent to a user when a user is online but in an away status and an alert is sent when the user is offline.

Applicant asserts that Roskind's is directed towards using software to automatically respond to instant messages without human intervention.

The Examiner disagrees. While some of the functions of Roskind's such as receiving alerts may not require human intervention. There are multiple instance where human intervention is necessary in order to interface with the system such as selecting the various widgets that are present in Roskind's invention. Therefore Roskind does not teach away from Applicant's invention.

It is noted that the citing of Roskind's background is used to show in regard to teaching selectively generating a main widget, that a user can initiate the displaying of a main widget.

Applicant asserts that the use of Roskind's background section conflicts directly with the primary teachings of Roskind.

The Examiner disagrees. The combination of Roskind's background with his primary teaching, would provide greater functionality by provided multiple methods for user to interact with the system.

Applicant asserts that Roskind fails to teach "said buddy information including a listing of network service or a buddy resource name".

The Examiner disagrees. The IM, Chat, and Write buttons all perform a network service that a user can engage in with their buddies. It is further noted that Applicant's argument that the limitation "listing corresponding to individual buddies" is not positively recited in the claim. Roskind teaches having multiple "buddy resource names" such as "Co-Workers", and "AOL". The term buddy resource name broadly interpreted can be defined as support for the grouping of screen names, which is provided by Roskind.

Applicant asserts that Roskind fails to teach "said alert messages including a single message in a single message mode and said alert widget functions in a notification mode in which no response is required from a device user, said alert widget automatically functioning in a decision mode in which a decision is requires by said device user to approve or disapprove a particular one of said alert message".

The Examiner disagrees. Roskind teaches sending a message to a user if another user tries to contact him/her when they are away which, is a single message sent to the user that does not require a response from the user. Roskind also teaches wherein an action is requested from

the first user if a requested action is to take place therefore querying the system to approve or not approve an alert message.

Applicant asserts that Roskind fails to teach “an info tab” for generating information request to other users and Applicant’s claimed visibility attribute pertains only to being visible to other devices and may be selected when the device user is currently communicating online, also actively selecting various presence attributes depending upon a device user’s choice.

In response to applicant’s argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., an info tab for generating information requests to other users and visibility attribute pertains only to being visible to other devices) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant asserts that Roskind fails to teach “said main widget includes a presence tab, a MEET tab, a buddy tab, a content tab, an info tab, and a main window area.

The Examiner disagrees. As stated above in the rejection of claims 3 and 23, Roskind teaches the functionality of the Applicant’s tabs but not the presence of the tabs themselves. Becker is user to provide insight to one skilled in the art that tabs as agreed by the Applicant, is known to be a common method for organizing information. Therefore it is the combination of Roskind and Becker that provides the teaching of the Applicant’s invention for providing the

functionality of Roskind as tabs to provide greater organization of information for ease of viewing to a user.

Applicant asserts that Roskind fails to teach any sort of "request for profile information".

The Examiner disagrees. Roskind states that contextual information about the buddy can be provided to the program user. Profile information is merely information relating to a buddy.

Applicant asserts that a profile cannot consist of any information that would be pertinent to the system at hand and the combination of the Examiner's knowledge would have not been obvious to one skilled in the art.

The Examiner disagrees. At the Applicant's request a reference (definition of user profile) has been cited on PTO Form 892 for the Applicant's review.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long
February 25, 2008

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